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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TRAN, MYLINH T	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/090,627	ORDING, BAS	
	Examiner	Art Unit	
	Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,6,7,9-14 and 16-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4,6,7,9-14 and 16-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 07/20/06 has been entered and carefully considered. Claims 1, 3-4, 6-7, 14 and 16-23 have been amended. Claims 24-25 have been added. Claims 2, 5, 8 and 15 have been canceled. However, the limitations of the amended claims have not been found to be patentable over prior art of record, therefore, claims 1, 3-4, 6-7, 9-14 and 16-25 are remain rejected under the same ground of rejection as set forth in the Office Action mailed (04/20/06).

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 23 is considered non-statutory because the specification does not define "computer readable medium" as including tangible media such as physical storage device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-4, 6-7, 9-14 and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews, III et al. [US. 5,724,492].

As to claims 1, 14 and 23, Matthews teaches a computer implemented method and corresponding apparatus for providing an aesthetically pleasing transition between two or more menu bars comprising the steps/means of determining a change between active applications running on a computer from a first application having a first menu bar (figure 10, the first menu bar (1005) is associated a first application)

currently displayed to a second application having a second menu bar to be displayed (figure 10, the user press the button (1020) in order to display the second application including the second menu bar. The first menu and the second menu can be simultaneously displayed, see column 14, lines 59-67);

updating a computer display to display the second menu bar in place of the first menu bar (figures 11-12);

providing visual notification (column 18, lines 57-67) of the change between active applications by rendering animation graphics to animate the transition between the first and second menu bars such that the difference between the first menu bar and the second menu bare are apparent (column 15, lines 5-15, lines 39-42 and 53-62).

Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.

Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14,

lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.
As to claims 3 and 16, Matthews shows the step of detecting a change comprising detecting a user initiated event (column 3, lines 60-62 and column 4, lines 32-36). Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.
Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claim 4, it would have been inherent that the step of detecting a change comprising detecting a mouse click event (a user uses a mouse click for the triggering event). Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.

Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claims 6 and 17, Matthews also shows the step of detecting a change comprising opening of the second an application (column 16, lines 1-52). Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.
Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claim 7, Mathews shows the step of detecting a change comprising detecting the quitting of the first application (column 16, lines 1-52).
Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.
Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claims 9 and 18, Matthews shows providing visual notification being configured to render rotation animation graphics (column 16, lines 3-14).

As to claims 10 and 19, Matthews shows providing visual notification being configured to render scrolling animation graphics (figures 17-18, column 16, lines 9-13).
Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.
Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote

control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claims 11-13 and 20-22, it would have been inherent that Matthews shows animation graphics comprising three-dimensional animation graphics, the three-dimensional animation graphics comprising animation graphics utilizing gray scales and the three-dimensional animation graphics utilize gray scale to virtual lighting effect because Matthews teaches the animated transition between two panel menus in a three dimensional structure.
Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.
Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.
It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claim 24, Matthews teaches the first menu bar comprising a plurality of options pertaining to functions associated with the first application and the second menu bar comprising a plurality of options pertaining to functions associated with the second application.

Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.

Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

As to claim 25, Matthews also teaches the first menu bar comprising a plurality of options pertaining to functions associated with the first application and the second menu bar comprising a plurality of options pertaining to functions associated with the second application.

Matthews fails to clearly teach the step of detecting a change between active applications running on a computer.

Matthews cites "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9). It was well known in the computer art that implementations in which detecting a change between active applications running on a computer.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation. Motivation of the combination would have been to enhance the transition of menu system.

Response to Arguments

Applicant argued Matthews does not teach or suggest "detecting a change between active applications running on a computer from a first application having a first menu bar currently displayed to a second application having a second menu bar to be displayed". However, the examiner respectfully disagrees because as disclosed at figure 10, the first menu bar (1005) is associated a first application currently displayed to a second application having a second menu bar to be displayed (figure 10, the user press the button (1020) in order to display the second application including the second menu bar. The first menu and the second menu can be simultaneously displayed, see column 14, lines 59-67). Applicant's attention is directed to the cited passage "the viewer can use the stylus to rotate the object to reveal additional panels" (column 18, lines 61-67) or ""the viewer can use the remote control unit to spin the object and to reveal additional panels" (see column 14, lines 7-9).

Applicant also argued Matthews does not teach or suggest "providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the first and second menu bars". However, the examiner respectfully disagrees because Matthews teaches "a panel-to-panel transitional animation" (see column 16, lines 1-15). The system provides visual notification by displaying to the viewer animation graphics during the first menu bar-to-the second menu bar transitions.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

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